

**REMARKS**

Reconsideration and allowance of the above-identified application, as currently amended, is respectfully requested.

A number of revisions were implemented in the Specification that are strictly of a minor editorial nature. For example, the deletion effected on page 8, paragraph [0016], is to remove the inadvertent duplicate expression therein. On page 11 – 12, paragraph [0026], the expression "... elongated (longitudinal edges)..." was editorially corrected to "...elongated edges (longitudinal edges)...". With regard to page 4, paragraph [0007] and page 8 – 9, paragraph [0021], the revisions implemented therein are strictly of an editorial nature and are consistent with the original description. The latter are being effected, also, for purposes of further highlighting this originally disclosed featured aspect. The two following paragraphs underscore this.

The cardholder not only can be considered as a thin magnifying cardholder such as a fresnel magnifying lens cardholder but, moreover, the cardholder according to the invention and as described in the example embodiment(s) may also be characterized as a thin cardholder shaped magnifier such as a cardholder shaped fresnel magnifying lens. For example, it is noted that the detailed description of the example Fig. 1 embodiment, related to the present invention, describes the cardholder of Fig. 1, also, as a "cardholder shaped magnifier 10" or as a "cardholder shaped fresnel magnifier lens." (Page 8 – 9, paragraph [0021] of the Specification.) This one-piece clear plastic sheet, which constitutes the entirety of the component parts of the cardholder of the invention, can therefore be described in terms of a magnifying cardholder and, alternatively, in terms of a cardholder shaped magnifier, in the general sense (this also supported by the example embodiment(s) originally disclosed in the present application). On page 5,

paragraph [0009] of the Specification, it states "this one-piece clear film or plastic sheet constitutes the entirety of the component parts of the cardholder." On page 6, paragraph [0012], the Specification further states that "...a one-piece plastic forming a magnifying lens [which is] configured as a rectangle-shaped cardholder...". On page 7 paragraph [0013], regarding the manufacture of the cardholder, it is stated that the "method of making a cardholder shaped magnifying lens includes providing a one-piece clear plastic sheet with fresnel contour lines...". In paragraph [0014], further, the manufacturing technique is also described in reference to a "cardholder shaped magnifying lens."

As evidenced above, support is clearly found throughout the Specification for purposes of describing the invention in terms of a magnifying cardholder as well as a cardholder shaped magnifier or, more particularly, where the magnifier is a fresnel magnifying lens. The current interlineations effected in the Specification are consistent with the current revisions being made in the preambles of the pending claims. It is submitted, the revisions implemented in the Specification and, correspondingly, in the claims do not involve the issue of new matter, either by addition and/or deletion.

The claims were amended to reflect the fact that the previously set forth cardholder is simply a fresnel magnifying lens (made of the one-piece transparent sheet having a fresnel contour lines) configured as a pocket size rectangle-shaped cardholder. The body of base claim 1 was revised, as needed, to reflect the revision implemented in the preamble thereof. In particular, independent claim 1 and, therefore, also the corresponding dependent claims thereof were revised to reflect the fact that the magnifying lens is a fresnel magnifying lens and, also, that the cardholder shaped fresnel magnifying lens is configured as a pocket sized rectangle-shaped cardholder, the latter being consistent with the previously set forth

expression “with dimensions approximating a standardized card carried by a person”. The further limiting of the magnifying lens to a fresnel lens is taken from that contained in claims 4 and 8 (both dependent on claim 1). Dependent claims 2 and 4 – 13 were also amended to reflect the revisions implemented in base claim 1. An example showing of the invention according to claims 1+ can be seen with regard to Fig. 1 of the drawings (see the related description in paragraphs [0022] – [0024], etc.).

Claims 14+ and 21+ were, likewise, amended to highlight the technique of making such cardholder shaped fresnel magnifying lens, namely, a one-piece pocket size cardholder shaped fresnel magnifying lens. Example embodiments directed to the method of making such as now set forth in claims 14+ and 21+ are described in connection with Figs. 2-5 of the drawings as well as with regard to the process flow chart shown in Figs. 6A – 6C (see the discussion directed thereto beginning on page 11, paragraph [0025], of the Specification).

With regard to the cardholder shaped fresnel magnifying lens in the example Fig. 1 embodiment, the one-piece transparent plastic material (sheet) may be constituted by the thermal plastic sheet made of material taken from the group consisting of polyvinylchloride (PVC), polycarbonate, polyester, and the like (see pages 8 – 9, paragraph [0021], etc., and claims 5, 12 and 13). The set forth “fresnel lens viewing portion” is illustrated in connection with reference numeral 14 in Fig. 1 and also with regard to reference numeral 14' in Figs. 2 and 4 of the drawings which relate to a selected viewing portion of the plastic sheet having fresnel contour lines. The pair of opposing folded edges 16 relate to the tracks of the formed pocket size rectangle-shaped cardholder as described in the Specification and as set forth in claims 1+, 14+ and 21+. The tracks may be J-shaped (see claims 2, 9), allowing the slipping on and off of a standardized card such as a credit/debit card which may

contain a magnetic strip or a IC chip such as in connection with smartcards and the like.

It is further highlighted in the claims that the viewing portion may cover a limited area such as when the one-piece plastic material has an opaque finish on either side thereof or may cover the entire area of the configured rectangle-shaped cardholder, which is limited only by its dimensions (see claims 6 and 10). Related discussion regarding the optional coating of the one-piece plastic material with an opaque finish is discussed, for example, on page 7, paragraph [0014]; page 10 – 11, paragraph [0024] and page 14, paragraph [0028], of the Specification. It is submitted, the invention covered by claims 1+, 14+ and 21+ is a clear and patentable improvement over that previously known.

Discussion will now turn to the standing rejections in the final Office Action.

**I. Rejection of Claims 1 – 2, 5 – 7 and 13 under 35 U.S.C. 102(b) as Anticipated by Fantone, et al. (U.S. Patent 5,941,382)**

The invention according to claim 1 and, therefore, also according to the corresponding dependent claims thereof is a cardholder shaped fresnel magnifying lens consisting of a one-piece transparent plastic sheet having fresnel contour lines and configured as a pocket size rectangle-shaped cardholder with dimensions approximating a standardized card carried by a person, the rectangle having both a fresnel lens viewing portion and a pair tracks for slipping on and off one or more standardized cards, and the tracks being formed of folded tab-like extensions of the one-piece plastic sheet at a pair of opposing edges of the rectangle shaped cardholder. In other words, in accordance with the cardholder shaped fresnel magnifying lens of the present invention, there would be required a completely self-contained, one-piece transparent (clear) plastic sheet (i.e., a single element fresnel lens) which is configured to act both as a credit card holder and a fresnel lens

magnifier. The advantages realized by such a self-contained multifunctional fresnel magnifying lens are extensive, a number of which are discussed throughout the Specification, although not limited thereto.

It is argued that the invention according to these claims was anticipated by Fantone, et al. However, as will be shown below, the invention as is now defined in these claims was neither disclosed nor suggested from Fantone, et al. Therefore, this rejection, insofar as presently applicable, is traversed and reconsideration and withdrawal of the same is respectfully requested.

Fantone, et al.'s disclosure is directed to box container systems and display frames with multiple view optics. For example, Fantone, et al. are concerned with optical arrangements such that flat containers or display boxes such as compact disc (CD) container systems can be presented in a manner which facilitates the view of "different information in the form of multiple images either about the contents of the box or simply different images when looking at one of its surfaces from different angular perspectives. Horizontally and vertically oriented lenticulated panels are used in combination with interlaced images to convey the differently coded views without the need for physically manipulating such boxes..." (Col. 4, lines 12-25, of Fantone, et al.) According to Fantone, et al. this facilitates the ability to view more and different kinds of information on a given box or display surface area. An example of this is shown with regard to Fig. 39 of Fantone, et al. in which the disc holder 400 (which contains multiple components) includes lenticulated sections 404 – 410. However, such a CD disc container is a considerably more complex structure in that it includes, among other component elements thereof, a complex multi-component plastic cover and a rear base (see col. 19. line 38 et seq.). In column 21, line 41 et seq., regarding Fantone, et al.'s CD disc holder 400 of Fig. 39, Fantone, et al. state that the "disc holders are typically made in one-piece from a

synthetic resin by dye stamping or injection molding.” However, it is further stated the “transparent lenticulated sections 404 – 410... can be formed by appropriate modification by the dyes and the molds which leads to a highly complex manufacturing process, in clear contradistinction with that required to achieve the cardholder shaped fresnel magnifying lens according to the present invention.

As is clearly apparent Fantone, et al.’s CD box/holder is not a cardholder shaped fresnel magnifying lens configured as a self-contained pocket size cardholder and consisting of a one-piece transparent plastic sheet having fresnel contour lines nor, for that matter, can it function as one. Fantone, et al.’s plastic cover which has the lenticulated sections is part of a complicated, assembled multi-component CD storage box.

With regard to the showings in Fig. 4 of Fantone, et al., related to a box system 100 thereof, the box system 100 is comprised of a front cover 102 that is hinged to a rear base 104 over a pair of pivots (109) and, also, inside the box system 100 is a compact disc holder (see Fig. 18). The front cover 102 is composed of molded durable plastic and includes a transparent, flat, lenticulated panel 110, in which information in the form of interlaced printed images resides in a plane behind of the front cover lenticulated panel 110. (Col. 10, line 17 et seq., in Fantone, et al.)

The showings in Figs. 36 and 37 along with the discussion in column 18, line 19, to column 19, line 7, and column 21, line 41 – 56, in Fantone, et al., are particularly relied upon in the rejection of the claims. In the rejection, it is alleged that Fantone, et al. discloses the cardholder set forth in claims 1-2,5-5 and 13.

Applicant submits, however, Fantone, et al. does not disclose or even suggest the invention according to claims 1+. For example, Figs. 36 – 37 show an embodiment having a lenticulated surface. Specifically, this embodiment features a

display frame 330 which comprises a lenticulated front panel 332 and printed insert 340 carrying interlaced images. The lenticular lens in Fig. 36 is not a magnifier in the same sense as that of the fresnel lens called for according to the present invention. The lenticular lens in the various illustrations of Fantone, et al. are composed of parallel grooves for purposes of achieving an optical effect to enhance the number of views associated with an image to be viewed. With regard to Fig. 36, the lenticulated front panel 332 in the display frame 330 provides the necessary optical effect to fully view the interlaced images carried by the printed insert 340. Viewing of the interlaced images via a lenticulated panel achieves the optical effect of being able to view multiple interlaced images by simply viewing them from different angles with respect to the surface lenticular panel (when the printed card (insert) is properly fitted into the display frame along the length of the channels 334 and 336). In other words, a printed insert which carries interlace images has the effect of increasing the amount of information that can be packed into a limited viewing area, which information then becomes viewable via a lenticulated display panel such as shown with regard to Figs. 36 – 37. Other such examples disclosed by Fantone, et al. are shown with regard to Figs. 32 – 33 and 35. For example, the different information (e.g., different images) interlaced at 321 with regard to the printed card 322 in Fig. 35 or at 342 with regard to the printed insert 340 in Fig. 36 become viewable such as by angular movement through the lenticulated front panel 324 of the display box 320 in Fig. 35 or the lenticulated front panel 332 of the display frame 330 in Fig. 36. It should be noted, further, that the fit of an insert card with respect to the channels must establish an appropriate alignment between lenticules of the lenticulated front panel with that of the interlaced images. Fig. 38 in Fantone, et al. is an example of another variation of a display showing that the interlaced images and the lenticulated grooves need not be in parallel or

perpendicular but, rather, need only be in a preset orientation (see column 19, lines 13 – 20).

In the various example embodiments of Fantone, et al., the viewing portion is constituted by a lenticulated surface (lenticular lens) characterized by parallel grooves to achieve an optical effect, the optical effect being associated with, for example, multiple views. In other words, Fantone, et al.'s display frame does not perform as a magnifier in the same sense that a fresnel magnifier performs. The display box or display frame according to Fantone, et al. requires the lenticulated panel and, also, the printed insert (carrying the interlaced images) for it to be operatively effective, in clear contradistinction with that according to claims 1+ of the present invention.

As stated earlier, applicant's invention features a fresnel magnifier that is characteristic of the set forth one-piece transparent plastic sheet. In other words, it is the circular concentric grooves associated the fresnel contour lines that characteristically defines a fresnel lens to thereby achieve magnification with regard to any viewed information or image(s). At the same time, this fresnel magnifier functions also as a pocket size card holder for holding debit/credit cards (smart cards).

It is emphasized, the cardholder shaped fresnel magnifying lens according to the present invention, by definition, has entirely different optical properties and, correspondingly, entirely different objectives than that of the lenticular lens with the parallel grooves of Fantone, et al.'s various display boxes, display frame, etc. This is because, as stated above, the circular concentric grooves associated with the fresnel contour lines perform true magnification while the parallel arrayed grooves of Fantone, et al.'s lenticulated panel does not lead to magnification of any image but, rather, is employed to facilitate viewing interlaced images. Therefore, if one were to

substitute the parallel groove arrayed lenticulated lens, associated with the display boxes/frames, etc. of Fantone, et al., with a fresnel magnifying lens according to Yang, Jr. '336, for example, Fantone, et al.'s display box, display frame, etc. would not work - - ***the interlaced images would not be viewable***. It is submitted, therefore, the invention according to claims 1+ could not have been anticipated or suggested from Fantone, et al. nor, for that matter, from the combined teachings of Fantone, et al. and Yang, Jr. '336.

Fantone, et al. and Yang Jr. '336, the inventor submits, are totally unrelated in their objectives and, therefore, there would have been no motivating circumstance to modify one in view of the other in such a way that would have led to achieve the present invention. In Fantone, et al., the printed insert with the interlaced images needs to be inserted with the proper alignment for the viewing to work, in clear contradistinction with the fresnel magnifier of the present invention. Also, the CD box cover taught by Fantone, et al., it is observed, is not a self-contained cardholder nor does it function as one. As stated earlier, Fantone, et al.'s box cover is part of a complicated, assembled multi-component CD storage box, in clear contradistinction with applicant's invention. Contrary to the assertion in the outstanding rejection, the alleged cardholder according to Fantone, et al., it is noted, is made from multiple components, namely, a covered top which holds a separate lenticulated lens (with parallel grooves) as well as the printed card (containing interlaced images). On the other hand, the present invention consists of only one continuous component/element in connection with the multi-functional fresnel magnifier. Also, Fantone, et al.'s disclosure is not directed to a fresnel magnifier which is configured also a pocket size debit/credit card holder.

Among the various advantages realized by the present invention, the following are especially noted:

(a) It requires only a single transparent plastic sheet (and does not require separate a back plate) made from the same transparent material (e.g., thermal plastic material) as that employed in the making of the fresnel magnifying lens (therefore, the cardholder itself becomes the fresnel lens and the fresnel lens becomes the cardholder);

(b) Since the present invention can be implemented using a single continuous component element, the manufacturing steps associated therewith are advantageously reduced - - both in time and cost;

(c) Since the cardholder is made of the same thin thermoplastic material as that employed for making the magnifying lens, it makes it possible for the new holder to be substantially thinner which leads to better fitting of the cardholder into the card compartments of averaged sized wallets/purses; and

(d) The durability of the cardholder is improved since the magnifier lens cannot be separated from the cardholder.

**II. Rejection of Claims 4 and 8 – 12 under 35 U.S.C. 103(a) over the combination of Fantone, et al. in view of Yang (U.S. Patent 5,999,336)**

The above supportive discussion/rebuttal arguments concerning the applicability of Fantone, et al.'s disclosure/teachings and, also, of Yang, Jr. '336 are applicable herein and are incorporated for purposes of responding to this rejection.

As discussed in the present Specification, the present invention is a patentable improvement over this inventor's prior patent (Yang, Jr. '336) since the cardholder shaped fresnel magnifying lens according to base claim 1 and, therefore, also according to the corresponding dependent claims thereof is constituted by a one-piece transparent sheet made from the same transparent material (e.g., thermal plastic material) as that employed in the making of the fresnel magnifying lens, in

which the configured cardholder itself is the fresnel magnifying lens and this lens, in turn, also is the cardholder. That is, the present invention eliminates the requirement for a separate back plate. The fresnel lens is formed directly onto a one-piece plastic sheet made of optically transparent thermal plastic material such as PVC, polycarbonate, polyester or any other similar type material (claims 5, 12 and 13). While Yang, Jr. '336 requires two component elements to form the credit card holder, namely, a back plate and a fresnel lens, the present invention requires only one component, the clear one-piece (continuous) plastic sheet with the fresnel contour lines. This is discussed in greater detail with regard to the remarks of the previously submitted responsive amendment (see also the discussion beginning in paragraph [0006], page 3, and the discussion beginning in paragraph [0023], page 10 of the present Specification).

As appropriately noted earlier in these remarks, Yang Jr.'s. ('336) use of fresnel contour lines (true magnification) could not work in Fantone, et al.'s display box/display frame noting that the latter is directed to viewing interlaced image information, i.e. the display box/display frame requires the CD printed card to be inserted for the viewings of the interlaced information/multiple images to be effectual. In Yang, Jr. '336, however, the fresnel magnifier works when the credit cards are not slipped onto the cardholder. In other words, Fantone, et al.'s invention is completely different from that of Yang, Jr.'s '336. Therefore, the present invention could not have been realizable even over the combined teachings of Fantone, et al. and Yang, Jr. '336.

**III. Rejection of Claims 14, 18 – 21 and 23 – 25 under 35 U.S.C. 103(a) over Fantone, et al. in view of Finkelstein, et al. '430**

The above discussion/rebuttal arguments associated with Fantone, et al. are also applicable herein and, therefore, are incorporated for purposes of responding to this rejection.

Finkelstein, et al. '430 discloses a technique incorporating a fresnel lens into a machine readable card such as a financial card. This card is capable of accommodating encoded data and graphics as required by financial institutions. The fresnel magnifying window serves as a visual aid to help its users detect the accuracy of presented receipts of a point of sale. In contradistinction with that according to the present invention, Finkelstein, et al. disclosed a scheme in which the fresnel lens is an integral part of the card. In contrast, the present invention is not a card such as a credit card or smart card and, moreover, the magnifying lens is not an integral part of any such card. Rather, the present invention is directed to a manufacturing scheme for a cardholder shaped fresnel magnifying lens.

The manufacturer scheme according to the present invention does not need to work on any other component besides the one-piece (i.e., single, continuous) transparent plastic sheet having the fresnel contour lines and, moreover, does not require the more expensive and intricate procedure involving injection molding of one or more parts for the formation of the rectangle-shaped cardholder. The configured pocket size cardholder according to the method of making a one-piece fresnel pocket size cardholder shape fresnel magnifying lens of the present invention, is simply made, for example, from rolled thermal plastic sheet alone and does not contain injected molded parts and is not made by injection molding, in contradistinction with that of Yang, Jr. '336 and, also, Fantone, et al.

According to Claims 14+ and 21+ of the present invention, the invention can be effectively achieved simply through heat bending of the flat fresnel lens sheet. This flat sheet is cut into a rectangle shape of a standardized card (e.g., credit/debit cards, smart cards and the like) in which the tab-like shaped extensions thereof are folded (as a result of the heating) so as to form a pair tracks on a same side of the plastic sheet such as shown and discussed with regard to the example embodiments in Figs. 2-5 and Figs. 6A-6C of the present application, which are example showings thereof. It is submitted, such a scheme could not have been realizable in the manner as that alleged in the outstanding rejection. In fact, for the same and similar reasons as that previously argued with regard to the inapplicability of the combination of Fantone, et al. and Yang, Jr. '336, Finkelstein, et al. '430 is also in applicable.

**IV. Claims 15 – 16 Stand Rejected under 35 U.S.C. 103(a) over the combination of Fantone, et al. in view of Finkelstein, et al. '430 and further in view of Yang '336**

The discussions/rebuttal arguments, in consideration of the combined teachings of these references, are also applicable herein. Therefore, for purposes of this rejection, the above supported discussions/rebuttal arguments are incorporated herein.

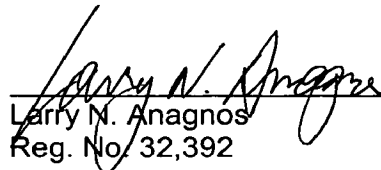
Even though Yang, Jr. '336 teaches a cardholder containing a cutaway at one or both of a pair of opposing edges of the rectangle-shaped cardholder, the combination of Fantone, et al., Finkelstein, et al. '430 and Yang, Jr. '336 still does not teach the method of making a one-piece pocket sized cardholder shaped magnifying lens as that set forth in base claim 14 (as it relates to dependent claims 15 – 16), as discussed above.

Therefore, for at least the above presented reasons, the invention according to claims 1+, 14+ and 21+ could not have been achievable from the cited references, as argued in the outstanding rejections. Therefore, reconsideration and withdrawal of the outstanding rejections as well as favorable action on the currently pending claims, i.e., claims 1, 2, 4 – 16, 18 – 21 and 23 – 25, as well as a formal notification of allowability of the above-identified application is respectfully requested.

If the Examiner deems that questions and/or issues still remain which would prevent the present application from being allowed at the present time, he is invited to telephone the undersigned representative, at the telephone number indicated below, so that either a telephone or personal interview may be arranged at the Examiner's convenience in order to discuss the same and hopefully resolve any remaining questions/issues present.

To the extent necessary, applicants petition for an extension of time under 37 CFR §1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including Extension of Time fees, to the Deposit Account of Antonelli, Terry, Stout & Kraus, LLP, Dep. Acct. No. 01-2135 (012.43208X00), and please credit any excess fees to such deposit account.

Respectfully submitted,  
**ANTONELLI, TERRY, STOUT & KRAUS, LLP**

  
Larry M. Anagnos  
Reg. No. 32,392

LNA/gjb  
703-312-6600